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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/666,857	09/21/2000	Seong-sin Joo	1293.1147	5948

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EXAMINER

HUBER, PAUL W

ART UNIT PAPER NUMBER

2653

DATE MAILED: 03/10/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/666,857

Applicant(s)

JOO ET AL.

Examiner

Paul Huber

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-11 and 16-32 is/are allowed.
- 6) ☒ Claim(s) 12-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) g.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 12-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Alon et al. (USP-5,701,283).

Alon et al discloses a method for detecting a reproducing signal using an optical detection device to receive an optical signal reflected from an optical recording medium and dividing the received signal into multiple signals corresponding to sections of the optical detection device which are arranged in a matrix with rows in a tangential direction and columns in a radial direction of the optical recording medium. See figure 3. "As the positions of the disk tracks change relative to the pixel columns of detector matrix 62, for example, as a result of eccentricity of the optical disk, the track position computation function 80 adjusts the pixel select signals so that switches 132 continually select the pixel signals that correspond to desired disk tracks" (see col. 9, line 66 through col. 10, line 4). Thus, Alon et al discloses "selecting signals which are less degraded than other signals," as claimed. "While calculating track positions and determining the pixel select signals, track position computation function 80 also determines cross-talk cancellation coefficients..." (see col. 10, lines 32-35). Thus, Alon et al obtains a reproducing signal from the selected signals by compensating for an amount of the interference, as claimed.

Claims 1-11 and 16-32 are allowed.

Applicant's arguments filed December 4, 2003 have been fully considered but they are not persuasive. Regarding claims 12-15, the applicant argues that "Alon et al. does not disclose combining signals in the radial direction or diagonally. Instead, ... this reference adds charges in the column, or tangential direction, but does not combine any radial or diagonal directions." However, the claims recite detecting output signals or outputs "of the optical detection device corresponding to a combination of signals corresponding to sections of the photodetector arranged in a tangential direction, outputs corresponding to a combination of signals corresponding to sections of the photodetector arranged in a radial direction, and/or outputs corresponding to a combination of signals corresponding to sections of the photodetector arranged diagonally." The claimed "and/or" language is interpreted as claiming at least one of the "tangential direction," "radial direction," and "diagonally" direction, but not necessarily all three directions. Accordingly, since the reference discloses at least detecting output signals or outputs "of the optical


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detection device corresponding to a combination of signals corresponding to sections of the photodetector arranged in a tangential direction" as claimed, the references discloses the invention as claimed in claims 12-15.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Paul Huber at telephone number 703-308-1549.


Paul Huber
Primary Examiner
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